

REMARKS:

- 1) Referring to item 10) of the Office Action Summary, the Examiner is respectfully requested to approve the Formal Drawings originally filed with this application on October 30, 2001.
- 2) The claims have been amended as follows. Independent claims 1, 18 and 19 have each been amended to incorporate the subject matter of prior claim 13. Claim 13 has been canceled. New claims 20 and 21 have been added, to individually recite the two alternatives of original claim 13. The dependent claims have been amended for proper conformance wherever necessary. These amendments merely involve claim combinations and do not introduce any new matter.
- 3) Referring to the top of page 2 of the Office Action, the election of the product claims 1 to 16, 18 and 19 is hereby affirmed. The present claims reading on the elected invention are claims 1 to 12, 14 to 16 and 18 to 21. The non-elected method claim 17 depends from elected product claim 1 and is directed to a method of making the particular product according to claim 1. Since product claim 1 should now be allowable (as discussed below), the Examiner is respectfully requested to rejoin, consider and allow the dependent method-of-making claim 17 in accordance with M.P.E.P. §821.04 and §2116.01.
- 4) Referring to the middle of page 2 of the Office Action, the rejection of claims 1 to 16, 18 and 19 for lack of an enabling

4172/WFF:ar

- 9 -

disclosure under 35 U.S.C. §112, first paragraph is respectfully traversed.

The Examiner asserts that the original disclosure fails to teach a person of ordinary skill in the art how and what materials are used to form plastic spacer elements. This information is conventionally known and understood by persons of ordinary skill in the pertinent art. For example, the Examiner's cited reference, US Patent 5,232,962 (Dershem et al.) discloses various different examples of polymeric materials that may be conventionally used to form spacer elements in the same context as in the present invention.

A patent application is not required to provide a detailed description of aspects and features that are already conventionally known to persons of ordinary skill in the art. Thus, the present application was not required to disclose the conventional aspects of how and what materials are used to form the plastic spacer elements. Only the significant claimed features of the claimed invention need to be enabled in the original specification, which is the case here. Other than "how and what materials are used to form plastic spacer elements" the Examiner has not challenged the adequacy of the disclosure.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claims 1 to 16, 18 and 19 under 35 U.S.C. §112, first paragraph, in view of the enabling conventional information already of record.

- 5) Referring to the bottom of page 6 and the top of page 7 of the Office Action, the indication of allowable subject matter in

4172/WFF:ar

- 10 -

original claim 13 is appreciated. This allowable subject matter has been incorporated into each of the present independent claims 1, 18 and 19. Thus, all of the claims should now be allowable.

- 6) Referring to pages 3 to 6 of the Office Action, the prior art rejections applying US Patent 5,232,962 (Dershem et al.) have been obviated by the present amendment. Since these rejections did not apply against original claim 13, and the allowable subject matter of claim 13 has now been incorporated into each of the remaining independent claims 1, 18 and 19, these rejections no longer apply against the present amended claims. The Examiner is requested to withdraw the rejections.
- 7) Favorable reconsideration and allowance of the application, including all present claims 1 to 12 and 14 to 21, are respectfully requested.

Respectfully submitted,

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Applicant

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Enclosures:  
Term Extension,  
Form PTO-2038

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CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (703) 872-9306 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

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4172/WFF:ar

- 11 -